IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.10196 OF 2004

Shri Baban S.Chavan & Ors. .. Petitioners

Vs

Shri Dnyanoba S.Chavan & Ors. .. Respondents

Mr N.P.Deshpande i/b Mr U.G.Deshpande,for the petitioners.

CORAM : D.B.BHOSALE,J.

DATE : 23rd December, 2004.

PC:

1. Heard the learned counsel for the petitioner.

2. The petitioners' application for framing additional issues has been rejected. I do not see any reason to interfere with the impugned order in view of the provisions of Order 14, Rule 5 of the Code of Civil Procedure. It is open for the Court at any time before passing a decree to amend the issues or frame additional issues on such terms as it thinks fit and all such amendments or additional issues as may be necessary for determining the matter in controversy between the parties shall be so made or framed. The writ petition, therefore, fails and is dismissed as such.

(D.B.BHOSALE, J.)